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ATTN: John J. Oskorep
One Magnificent Mile Center
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OFFICE OF PETITIONS

In re Application of
Gillis et al.
Patent No. 6,831,802
Application Number: 10/675,357
Issue Date :December 14, 2004
Filing Date: September 30, 2003
Attorney Docket Number: HSJ9-2003-
0117US3

DECISION ON PETITION

This is a decision on the petition for certificate of correction under 37 CFR 1.323 filed on March 14, 2005. The petition is properly treated under 37 CFR 3.81 (b) to correct the assignee on the front page of the above-identified patent by way of a Certificate of Correction.

The request is **Dismissed**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are not permitted. The reconsideration request should include a cover letter entitled "Renewed Petition". This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Effective June 25, 2004, when a request to issue a patent to an assignee is filed after payment of the issue fee, a certificate of correction must be submitted as there is no time to process these request before a patent is issued. See 69 Fed. Reg. 29865 (May 26, 2004).

Any request for issuance of an application in the name of the assignee submitted after

the date of the payment of the issue fee, and any request that a patent be corrected to state the name of assignee must :

(A) state the assignment was submitted for recordation as set forth in 37 CFR §3.11 before issuance of the patent;

(B) provide a request for a certificate of correction §1.323;

(C) provide the fee set forth in 37 CFR §1.20 (a) and

(D) provide the processing fee set forth in 37 CFR §1.17(l)

Petitioner has failed to submit (C), the \$100.00 certificate of correction fee pursuant to 37 CFR 1.20 (a). The petition does not authorize charging of the deposit account for the certificate of correction fee.

Further correspondence with respect to this matter may be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300

By delivery service:
FedEx, UPS, DHL, etc.)

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Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charles R. Gies

Charlema R. Grant
Petitions Attorney
Office of Petitions